

03/05/03  
Resp/inst B

PATENT APPLICATION  
Docket No.: 1735.2.2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ron McCabe et al.  
Serial No.: 09/438,184  
Filed: November 11, 1999  
For: FLEXIBLE REMOTE DATA MIRRORING  
Examiner: Dung C. Dinh (Art Unit 2153)

RESPONSE

The Honorable Commissioner of  
Patents & Trademarks  
Washington, D. C. 20231

Commissioner:

In response to the Office Action mailed January 2, 2003, Assignee MiraLink respectfully submits the following remarks, and requests favorable reconsideration of the application.

**Another corresponding application has been granted**

In Egypt, the corresponding application was granted as Patent No. 22201 on October 27, 2002.

**Major points were ignored in the Second Office Action**

The Second Office Action (mailed 1/2/2003) states "Applicant's arguments filed 10/28/2002 have been fully considered but they are not persuasive." However, aside from a few new points which are separately addressed later in this response, the Second Office Action merely repeats verbatim from the First Office Action (mailed 9/4/2002), without even addressing several of assignee's intervening arguments.

For example, in response to the First Office Action, assignee argued on pages 5-6 of the Amendment (filed 10/28/2002) that the Ohran - Double-Take combination was improper because the combined technologies would apparently conflict with each other,